

NOV 3 0 2005

PTO/SB/22 (12-04)
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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a) FY 2005 (Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).)		Docket Number (Optional) 564462006600	
Application Number 09751,299		Filed December 28, 2000	
For METHODS FOR PRODUCING ALPHA-SUBSTITUTED CARBOXYLIC ACIDS USING NITRILASES AND STRECKER REAGENTS (AMENDED)			
Art Unit 1658		Examiner K. Kerr	

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application.

The requested extension and fee are as follows (check time period desired and enter the appropriate fee below):

	Fee	Small Entity Fee	
<input type="checkbox"/> One month (37 CFR 1.17(a)(1))	\$120	\$60	\$
<input checked="" type="checkbox"/> Two months (37 CFR 1.17(a)(2)) ((\$225 less \$80 paid for 1-Month Extension on October 31, 2005))	\$450	\$225	\$ 165.00
<input type="checkbox"/> Three months (37 CFR 1.17(a)(3))	\$1020	\$510	\$
<input type="checkbox"/> Four months (37 CFR 1.17(a)(4))	\$1590	\$795	\$
<input type="checkbox"/> Five months (37 CFR 1.17(a)(5))	\$2160	\$1080	\$

☒ Applicant claims small entity status. See 37 CFR 1.27.

☐ A check in the amount of the fee is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☐ The Director has already been authorized to charge fees in this application to a Deposit Account.

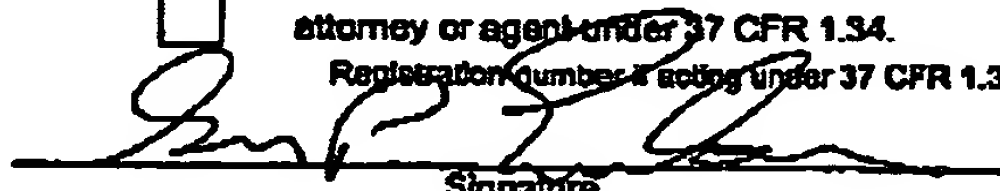
☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 03-1962. I have enclosed a duplicate copy of this sheet. Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.

I am the ☐ applicant/inventor.

☐ assignee of record of the entire interest. See 37 CFR 3.71.
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

☒ attorney or agent of record. Registration Number 38,440

☐ attorney or agent under 37 CFR 1.34.
Registration Number acting under 37 CFR 1.34


 Signature

November 30, 2005
 Date

Gregory P. Einhorn
 Typed or printed name

(858) 720-5133
 Telephone Number

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representatives are required. Submit multiple forms if more than one signature is required, see below.

☒ Total of 1 forms are submitted.

Adjustment date: 02/10/2006 SFELEKE1
 12/02/2005 WABDELRI 00000013 031952 09751299
 01 FC:2252 165.00 CR

Adjustment date: 02/10/2006 SFELEKE1
 12/02/2005 WABDELRI 00000013 031952 09751299
 02 FC:2401 250.00 CR
 sd-291291

1

 12/02/2005 WABDELRI-00000013-031952 09751299
 01 FC:2252 165-00-DA

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JAN 20 2006

Docket No.: 564462006600

(PATENT) OFFICE

I hereby certify that this correspondence is being facsimile transmitted to Mail Stop 16, the Patent and Trademark Office, facsimile no. (571) 273-8300, on the date shown below.

Dated: January 20, 2006

Signature: *Norman Green*

(Norman Green)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Mark MADDEN et al.

Application No.: 09/751,299

Confirmation No.: 8629

Filed: December 28, 2000

Art Unit: 1656

For: METHODS FOR PRODUCING ALPHA-
SUBSTITUTED CARBOXYLIC ACIDS
USING NITRILASES AND STRECKER
REAGENTS (AMENDED)

Examiner: C. Kam

REQUEST FOR REFUND

Mail Stop 16
Director of the U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

A refund is hereby requested in the amount of \$415.00 charged to Deposit Account No. 03-1952 on December 2, 2005 in connection with the above-identified application which claims small entity status.

The fee charged on December 2, 2005 is a duplication of a total fee for \$415.00 charged on December 1, 2005, which consists of \$165.00 for a 2-Month Petition for Extension of Time, and \$250.00 for a Notice of Appeal filed in the U.S. Patent Office via facsimile on November 30, 2005.

In support of this assertion, Applicants attach 1) a copy of the Fee Transmittal for the November 30, 2005 filing; and 2) pages 1-3 of our Deposit Account Statement for December 2005 with the fees charged on December 1, 2005 indicated on page 1 and the duplicate fees charged on December 2, 2005 indicated on page 3.

sd-297649

Application No.: 09/751,299

2

Docket No.: 564462006600

It is therefore requested that our Deposit Account No. 03-1952 be credited the \$415.00 charged in error on December 2, 2005, referencing docket no. 564462006600.

Dated: January 20, 2006

Respectfully submitted,

By 

Gregory P. Emhorn

Registration No.: 38,440

MORRISON & FOERSTER LLP

12531 High Bluff Drive

Suite 100

San Diego, California 92130-2040

(858) 720-5133

sd-297649

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U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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<p>Effective on 12/08/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (P.L. 109-171).</p> <p>FEE TRANSMITTAL For FY 2005</p>		<p>Complete if Known</p>	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Application Number	09/751,299
TOTAL AMOUNT OF PAYMENT (\$)		Filing Date	December 28, 2005
415.00		First Named Inventor	Mark MADDEN
		Examiner Name	K. Kerr
		Art Unit	1656
		Attorney Docket No.	554462008600

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____
☒ Deposit Account Deposit Account Number: 03-1952 Deposit Account Name: Morrison & Foerster LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee
☒ Charge any additional fee(s) or underpayment of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims
				Fee (\$)

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequences or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(g).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 =	150	(round up to a whole number) x		

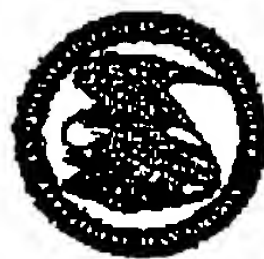
4. OTHER FEE(S)

	Fee Paid (\$)
Non-English Specification, \$130 fee (no small entity discount)	
Other (e.g., late filing surcharge): 2252 Extension for response within second month (\$225 less \$60 paid for 1-Month Extension on October 31, 2005)	165.00
2401 Notice of Appeal	250.00

SUBMITTED BY			
Signature		Registration No. (Attorney/Agent)	38,440
Name (Print/Type)	Gregory P. Elhorn	Telephone	(858) 720-5133
		Date	November 30, 2005

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sd-291288



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Patent and
Trademark Office**

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Deposit Account Statement

Requested Statement Month: December 2005
Deposit Account Number: 031952
Name: MORRISON & FOERSTER LLP
Attention: DENISE CALDWELL
Address: 755 PAGE MILL ROAD
City: PALO ALTO
State: CA
Zip: 94304-1018
Country: UNITED STATES OF AMERICA

DATE	SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
12/01	2	10341697	259052003100	1251	\$120.00	\$197,294.30
12/01	6	1399374	22000-54-8773	8009	\$80.00	\$197,214.30
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12/01 255	78842633	57649-24001.40/41	8507	\$30.00	\$172,295.30

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USPTO Deposit statement - Dec. 2005/af-2048075 v1

12/9/05 2:56 PM

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12/02 146	76599275	60202-8002.000	8521	\$40.00	\$360,573.30
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12/02 241	10446771	495812004200	1252	\$450.00	\$359,633.30

Duplicate

MORRISON | FOERSTER

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JAN 20 2006

MORRISON & FOERSTER LLP
NEW YORK, SAN FRANCISCO,
LOS ANGELES, PALO ALTO,
SAN DIEGO, WASHINGTON, D.C.
DENVER, NORTHERN VIRGINIA,
ORANGE COUNTY, SACRAMENTO,
WALNUT CREEK, CENTURY CITY
TOKYO, LONDON, BEIJING,
SHANGHAI, HONG KONG,
SINGAPORE, AMSTERDAM

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FROM: Gregory P. Einhorn, Reg. No. 38,440

Date: January 20, 2006

Number of pages with cover page: 8	Confirmation copy will NOT follow.
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If you do not receive all pages, please call (858) 314-5435 as soon as possible.

Preparer of this slip has confirmed that facsimile number given is correct: 10924/NXG4

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Comments:

Attorney Docket: 564462006600
Confirmation No.: 8629
Group Art Unit: 1656
Examiner: C. Kam
Serial No.: 09/751,299
Filing Date: December 28, 2000
Inventor(s): Mark MADDEN et al.
Title: METHODS FOR PRODUCING ALPHA-SUBSTITUTED
CARBOXYLIC ACIDS USING NITRILASES AND
STRECKER REAGENTS (AMENDED)

Papers attached:

1. Transmittal (1 page)
2. Request for Refund (2 pages)
3. Copy of Fee Transmittal (1 page)
4. Copy of pp. 1-3 of Deposit Account Statement (3 pages)

IF YOU DO NOT RECEIVE ALL OF THE PAGES, PLEASE CALL
NORM GREEN AT (858) 314-5435 AS SOON AS POSSIBLE.

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JAN 20 2006

PTO/SB/21 (08-04)

Approved for use through 07/31/2008. OMB 0661-0031

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE


Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM <small>(to be used for all correspondence after initial filing)</small>		Application Number	09/751,299
		Filing Date	December 28, 2000
		First Named Inventor	Mark MADDEN
		Art Unit	1856
		Examiner Name	C. Kam
Total Number of Pages in This Submission	8	Attorney Docket Number	564462008600

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.62 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input checked="" type="checkbox"/> Request for Refund (2 pages) <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Copy of Fee Transmittal (1 page) Copy of pp. 1-3 of Deposit Account Statement (3 pages) Fax Cover Sheet (1 page)
Remarks Customer No. 45975		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	MORRISON & FOERSTER LLP		
Signature			
Printed name	Gregory P. Elmhorn		
Date	January 20, 2006	Reg. No.	38,440

I hereby certify that this correspondence is being facsimile transmitted to Mail Stop 16, the Patent and Trademark Office, facsimile no. (571) 273-6300, on the date shown below.

Dated: January 20, 2006

Signature:  (Norman Green)

sd-298389